

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Plaintiff,

Case No. 09-12950
Honorable David M. Lawson

v.

JOHN J. BRAVATA, RICHARD J.
TRABULSY, ANTONIO M. BRAVATA,
BBC EQUITIES, LLC, BRAVATA
FINANCIAL GROUP, LLC, and SHARI A.
BRAVATA,

Defendants.

**ORDER GRANTING WEST WIND OF BAREFOOT BEACH'S MOTION FOR
LIMITED RELIEF FROM ORDER FREEZING ASSETS AND EXCLUDING
PROPERTY LOCATED AT 26868 HICKORY BOULEVARD IN BONITA SPRINGS,
FLORIDA FROM THE ORDER FREEZING DEFENDANTS' ASSETS**

On October 6, 2009, West Wind of Barefoot Beach, LLC, a non-party to this case, filed a motion asking the Court to exclude from the order freezing the defendants' assets the property located at 26868 Hickory Boulevard in Bonita Springs, Florida. West Wind seeks to extinguish defendant John J. Bravata's tenancy rights in the Bonita Springs property as a result of Bravata's alleged breach of a residential lease. West Wind seeks the Court's permission to exercise its state-law remedies to regain possession of the property; at the present time, West Wind does not seek money damages from the defendant.

On October 30, 2009, the receiver filed a response to West Wind's motion, stating that he does not oppose West Wind's request. Other parties did not respond to West Wind's motion or otherwise make their positions known, and the time for filing responses has passed. E.D. Mich. LR 7.1(d)(2)(B). Although the Court initially scheduled the motion for a hearing on November 23,

2009, the Court is satisfied that the relief requested by West Wind should be granted, and no hearing on West Wind's motion is necessary.

Accordingly, it is **ORDERED** that West Wind of Barefoot Beach's motion for limited relief from order freezing assets [dkt. # 84] is **GRANTED**. West Wind may exercise its state-law remedies to regain possession of the property in Bonita Springs, Florida. However, West Wind may not seek money damages from defendant John J. Bravata, absent specific permission from this Court.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: November 5, 2009

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on November 5, 2009.

s/Teresa Scott-Feijoo
TERESA SCOTT-FEIJOO